

August 16, 2006

**Testimony for Committee on Homeland Security
“Criminal Activity and Violence along the Southern Border”**

**Michael T. McCaul
Chairman
Subcommittee on Investigations**

**Speaker: Major Michael J. O’Brien
Harris County Sheriff’s Office**

**Representing: Sheriff Tommy Thomas
Harris County, Texas**

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On behalf of Sheriff Tommy Thomas, I would like to thank the committee for their support of law enforcement and their work to help improve our nation's security. The United States of America is considered a primary destination for illegal immigrants from all over the world because of our economy, freedoms, and ease of obtaining work. As a result, we have become a haven for organized crime involving the smuggling and human trafficking of illegal aliens across our borders.

The impact of illegal immigration to Harris County and the surrounding area has been enormous and has put a substantial strain on law enforcement resources. While there is no argument that only a small percentage of illegal immigrants are involved in criminal activity, the many that are have become involved in what is considered a cash-based organized crime underground economy. These criminal organizations are predominantly involved in smuggling, human trafficking, kidnapping, drugs and money laundering, and are mostly illegal aliens themselves.

In 2004, the Harris County Sheriff's Office was awarded a grant from the Department of Justice to participate in the Human Trafficking Rescue Alliance (HTRA), and over the last several years we have been working closely with Immigration and Customs Enforcement (ICE), as well as the Federal Bureau of Investigation (FBI), to identify illegal aliens involved in criminal activity within our community. Multi-jurisdictional task forces such as this alliance typically provide greater access to resources and information, and establish a team-based approach to investigations. Working side by side with Federal and other local agencies, we have been successful in arresting and charging suspects in some of the most serious crimes involving the terrorization and virtual enslaving of many illegal immigrants.

One of the most prevalent crimes involving illegal immigrants in Harris County involves Human Trafficking. The difference between human trafficking and smuggling is the heinous treatment of the victims which can equate to modern day slavery. There have been numerous instances where non-U.S. citizens (predominantly from Mexico) have paid large amounts of money to be smuggled over the border, only to be held for ransom

until they pay or work off additional fees. If they can't pay, many times their families are blackmailed and ransom payments are required for their release. Some of these cases have included severe torture of the victim while the smuggler is on the telephone with relatives so they can hear the screams of pain. If they still can't pay, they are often locked in back rooms and forced to work as prostitutes or in some other type of confined forced labor. The outcome is that some illegal immigrants become modern day indentured slaves who have no choice but to comply with the smugglers' demands.

One recent example of human trafficking involved the Walter Corea Human Trafficking Organization which held their victims at various locations in Harris County. In this case, ninety-eight (98) females were smuggled across the border and made to work as prostitutes to pay off their fees. The investigation determined that COREA and his co-conspirators were operating a network of bars and restaurants in the Houston-Harris County area dedicated to the smuggling of young Central American females to serve as prostitutes and "pony dancers." These women, some of whom were determined to be under age, were required to work until they could pay off their smuggling fees to the bar owners. The women, and their families in their native countries, were frequently threatened with bodily harm by COREA and members of his organization unless they agreed to comply with instructions to work in the businesses until the "organization" determined that all fees owed were paid in full.

This year-long undercover operation resulted in all 98 trafficking victims' being taken into custody, along with the arrest of COREA and seven of his organization members. The investigation involved the largest number of victims for any single case of human trafficking in the United States to date.

In addition to field investigation efforts, Immigration and Customs Enforcement (ICE) has agents assigned to the Harris County Sheriff's Office prisoner intake and processing facility to assist deputies and specifically identify illegal aliens. In the past eighteen months, the Harris County Sheriff's Office and ICE agents have positively identified over nineteen hundred and forty (1940) illegal aliens who have been processed through our jail. On average, about 20 detainees are placed each week on illegal aliens.

Upon booking at the Sheriff's Office processing center, all prisoners, regardless of race or ethnicity, are asked if they are United States citizens and their country of birth. The subsequent data obtained identifying illegal aliens processed through the Harris County jail is turned over to the federal government's "State Criminal Alien Assistance Program" for partial reimbursement of costs associated with processing and handling illegal aliens.

- On average, the Harris County Sheriff's Office receives and processes approximately 130,000 prisoners per year.
- Approximately 20-23% of the inmates received into our custody report that they are foreign born and non-US citizens. These numbers are self-reported (the "honor system"), thus it is safe to assume that the actual numbers are far greater.

- The State Criminal Alien Assistance Program (SCAAP) data for the last fiscal year estimated that 15.22% of the entire budget for the Harris County Sheriff's Office was expended investigating, arresting, processing, housing and providing medical treatment for illegal aliens. This equates to a cost of \$41,390,425. SCAAP reimbursement was in the amount of \$2,693,977, or a mere 6.5% of the total cost, the remainder of which was borne by Harris County taxpayers.
- Of those inmates who report foreign birth, approximately 60% are Mexican-born, and another 20% are from South and Central America. Many do not truthfully report their illegal status in fear of being deported, and it is virtually impossible with current financial and manpower constraints for us to investigate further or improve the system.

As you can see, the numbers are considerable and constitute a significant drain on our financial resources. One of the major problems faced by ICE, as well as local law enforcement, is the lack of bed space to hold illegal aliens. Throughout the nation there are less than 20,000 beds dedicated to immigration violation offenders. Consequently, illegal aliens involved in minor crimes are given the equivalent of a summons and told to report to court. In most cases, these persons never report and subsequently disappear into the community using different forms of identification.

The Harris County Sheriff's Office is working diligently within the Hispanic community to build trust and provide excellent services. There have been numerous cases where we have received invaluable information from within the Hispanic community that has resulted in the arrest and conviction of dangerous felons. Sheriff Thomas supports stronger and more effective security at our nation's borders, and does not condone illegal immigration. The Harris County Sheriff's Office does not have a "hands off" policy regarding illegal aliens and we will promptly assist a Federal agency requesting our help. However, having deputies seek out and pursue illegal immigrants based solely on their immigration status would severely strain our already limited resources, as well as hinder our efforts and those of any local law enforcement agency, when we need community involvement and willing witnesses to help solve crime.

The primary mission of the Harris County Sheriff's Office is to provide a safe and secure environment for the residents and visitors of Harris County, and we are working hard to achieve our goals through the use of increased community patrols, directed enforcement efforts, and state of the art investigative tools. The foundation of any organization is defined by its employees' honesty, moral standards, compassion, sincerity, and caring attitude. We are sworn to protect all the people we serve and our agency code of values includes such pillars of character as Respect, Fairness, and Justice through Excellence and Integrity. When we respond to an incident that is determined to involve criminal activity, our policy is to take action based on the enforcement of Texas law, and not immigration status. When appropriate, the violator is arrested, charged, and processed through the criminal justice system.

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